

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 92337

Gary Toroni

6704 Dogwood Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on May 25, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) and Baltimore County Zoning Regulations (BCZR). The Respondent was charged with violating BCC § 13-7-310 and 312; (BCZR) § 101, 102.1 and 1B01.1: failure to cease open dump and failure to remove accumulating trash and debris on residential property located at 66704 Dogwood Road, 21207.

On May 13, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector David Janiszewski issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$5,000.00 (five thousand dollars).

The following persons appeared for the Hearing and testified: Gary Toroni, Respondent and David Janiszewski, Baltimore County Code Enforcement Officer.

Inspector Janiszewski presented Baltimore County's case, and submitted photos depicting the presence of junk, trash and debris on the property, tall grass and weeds as well as a large shed/structure which has collapsed. Inspector Janiszewski indicated the Respondent has made some progress, but that the collapsed shed remains, which is the most serious violation. The Respondent testified that he has hired a contractor, who intended to begin work on the afternoon of the Hearing, and that he believed the property would be in compliance in the near future.

THEREFORE:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$5,000.00 (five thousand dollars).

IT IS FURTHER ORDERED that the \$5,000.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the suspended \$5,000.00 civil penalty be automatically imposed without the need for further Hearing or Order if the property is not brought into compliance by June 25, 2011, at which time Baltimore County is authorized to engage contractors to remove the collapsed shed, and the expenses for such work must be paid by the Respondent or will be placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 27th day of May 2011

Signed: ORIGINAL SIGNED
John E. Beverungen
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.